

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

1:17-cr-3338-JMC

MILTON BOUTTE,
JOE DIAZ,
ARTURO VARGAS,
and GEORGE LOWE,

Defendants.

**ORDER DENYING DEFENDANT GEORGE LOWE'S OPPOSED
MOTION TO AMEND CONDITIONS OF HOME CONFINEMENT**

On August 14, 2023, Defendant George Lowe filed an Opposed Motion to Amend Conditions of Home Confinement (Doc. No. 442). In that motion, Defendant Lowe contends that the home detention provision of his supervised release is interfering with his ability to successfully perform his job because of the embarrassment of potentially setting off magnetometer alarms in buildings.

Defendant's advisory Sentencing Guideline imprisonment range was six to twelve months' imprisonment following the Court's departure from the original Guideline imprisonment range of twenty-four to thirty months' imprisonment. The court sentenced defendant to a term of imprisonment of one day (time served) and a three-year term of supervised release that included 300 days of location monitoring.

The Court does not believe that Defendant Lowe's employment warrants modifying his conditions of supervised release. The Court believes that other arrangements, such as advance planning and notice to building security, will prevent Defendant from the alleged embarrassment of setting off a magnetometer alarm. Moreover, embarrassment for commission of a felony will

not suffice to modify Defendant's term of supervised release. The Court DENIES Defendant's Opposed Motion to Amend Conditions of Home Confinement (Doc. No. 442).

IT IS SO ORDERED.

Entered for the Court
this the 22nd day of August, 2023

/s/ Joel M. Carson III
Joel M. Carson III
United States Circuit Judge
Sitting by Designation